

Such in substance were the principles and practice of the English and Maryland Court of Chancery, when the general assembly of this republic commenced that reformation by which so many material alterations have been made. They declared, that in all cases in chancery, the process of commission of rebellion and sergeant-at-arms, should be omitted as unnecessary; (*m*) and have virtually abolished the writ of sequestration, as a mesne process, by providing other means, incompatible with its existence, of attaining the same object. (*n*) They have prescribed a mode of proceeding against those who may be found within the jurisdiction of the court; and have also provided a mode whereby relief may be had in equity against absent defendants, who are not resident any where within the state; making all such regulations alike applicable to all cases, upon an original or any other kind of bill; as well where there is only one, as where there are a plurality of defendants, within or out of the state; and thus placing it in the power of the plaintiff to have each defendant brought in, and compelled to answer, or to have the bill taken *pro confesso* against

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filed, and exceptions filed to the last answer adjudged good, and the answer insufficient, with nine hundred pounds of tobacco, unless cause shewn to the contrary February court, 1722. Further process to issue, with twelve hundred pounds of tobacco costs. *Ordered*, attachment, with proclamation to issue. Commission of rebellion issued to John Rider, Henry Ennalls, William Ennalls, and Henry Hooper. Commission returned *non est inventus*. *Ordered*, that the sheriff of the county be sergeant-at-arms in this cause; and *Ordered*, that the proper process of sergeant-at-arms issue, directed to the sheriff as sergeant; process issued and returned, *vide* return.

TILGHMAN, *Chancellor*.—It appearing in this cause, that the defendant hath put in two insufficient answers, which have been set aside upon exceptions; that the defendant hath not put in any other answer; and that the complainant hath run out all the process of contempt. Therefore, *Decreed*, that the bill be taken *pro confesso*; that the injunction be made perpetual as to the execution at law complained of in the bill, with costs; and that the complainant have a sequestration.—*Chancery Proceedings*, lib. I. R. No. 1, fol. 72, 73.

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CHEW v. MOORE.—The object of this bill, filed on the 15th of February, 1769, was to foreclose a mortgage, &c. The defendant was summoned, and he appeared by his solicitor, but failed to answer.

February, 1774.—EDEN, *Chancellor*.—*Ruled*, if no answer in six months, from the 18th day of February, 1774, bill to be taken as confessed, and decree to be entered accordingly.

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After which no answer having been filed, a final decree was passed.—*Chancery Proceedings*, lib. No. 1, fol. 56.

(*m*) 1785, ch. 72, s. 26.—(*n*) 1785, ch. 72, s. 19, 20; 1795, ch. 88, &c.; 1 Newl. Prac. Cha. 85.